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FO#2234953

761551N25A - SH-AD-32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: July 6, 2009

OFFICE CORRESPONDENCE FILE NO. FO2234953

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: MATHEW A. DENDO, CAPTAIN
LENNOX STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on December 30, 2008.

The Committee met on May 28, 2009, and consisted of me and Commanders Stephen B. Johnson, Custody Operations Division and Jack Jordan, Detective Division. The Committee determined the use of force by **Deputy Gonzalo Galvez** #[redacted] and **Deputy** [redacted] #[redacted] was within Department policy.

Please advise the deputies of this finding.

EBS:YLW/ylw

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: June 9, 2009

OFFICE CORRESPONDENCE FILE NO. FO2234953

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DEPUTY GONZALO GALVEZ #[redacted]
DEPUTY [redacted] #[redacted]
LENNOX STATION

On December 30, 2008, at approximately 1417 hours, Deputies Gonzalo Galvez and [redacted] were involved in a use-of-force which resulted in Suspect Quentin Washington sustaining a fractured left orbital.

Deputies Galvez and [redacted] were working Lennox Station unit 31D, PM Shift, and were conducting an unrelated pedestrian stop at [redacted] West 102nd Street. Since cars were parked on the both sides of the street, the deputies' patrol car was stopped in the street with its amber lights activated.

Deputy Galvez was outside his vehicle conducting an area search for narcotics while Deputy [redacted] who had three subjects detained in the backseat of the patrol car, was conducting warrant checks on the car's Mobile Digital Terminal (MDT). She was seated in the front passenger seat of the patrol car and the driver's door was open. While dividing her attention between watching Deputy Galvez, the subjects, and the MDT, she was startled when Suspect Washington got into the driver's seat of the patrol car. She immediately confronted Suspect Washington, who quickly exited the patrol car and walked back to his vehicle which was stopped behind the patrol car.

Deputy [redacted] exited the patrol car and approached the passenger side of Suspect Washington's vehicle while Deputy Galvez approached the driver's side and contacted Suspect Washington. Deputy Galvez asked Suspect Washington to exit his vehicle and after some conversation, Suspect Washington reluctantly got out of the car.

When Deputy Galvez tried to conduct a pat-down search for weapons, Suspect Washington quickly turned and tried to elbow Deputy Galvez in the face. Deputy Galvez tried to force Suspect Washington to the ground but Suspect Washington managed to complete the turn and began punching Deputy Galvez. The two exchanged blows as Deputy [redacted] came around the car to assist. As the deputies

and the Suspect exchanged blows, the fight moved around the cars toward the sidewalk. Deputy Galvez ordered Deputy [redacted] to retrieve the TASER from their car, while he punched and elbowed Suspect Washington about the face and body. Deputy [redacted] retrieved the TASER and removed the cartridges. Deputy Galvez and Suspect Washington had now gone to the ground where they continued to struggle.

Deputy [redacted] used the TASER in the drive-stun mode and contacted Suspect Washington in the back but it had little effect. She repositioned the TASER and again activated it, and this allowed Deputy Galvez to begin pulling Suspect Washington's arms behind his back. However, as the TASER deactivated, Suspect Washington again began fighting. Deputy [redacted] activated the TASER once again.

Deputy [redacted] assisted the deputies in handcuffing Suspect Washington. Once handcuffed, Suspect Washington began kicking his feet out. Deputy [redacted] fearing possible additional injury to Suspect Washington, and deputy personnel, placed a hobble restraint device around the suspect's legs. Once handcuffed and hobbled, Suspect Washington ceased his assaultive and resistive behavior.

The deputies sustained bruises, scratches and contusions as a result of the altercation and were treated and released from local hospitals.

Suspect Washington was taken to Centinela Hospital Medical Center where it was determined that he had sustained a fracture left orbital.

On May 28, 2009, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Gonzalo Galvez #[redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/025.00, Use of Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy [redacted] #[redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by all personnel in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:YLW/ylw

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	408-13725-0371-145	Date:	12-30-08	Time:	1417 hours
Location:	[redacted] W. 102nd Street, Los Angeles				
City or Station:	Los Angeles				
Bureau/Station/Facility:	Lennox Station	Admin. Investigation:	YES ☐ NO ☒		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	54	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		20	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]			[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		22	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]		[redacted]	[redacted]

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Meehan	Johnson		Sgt	YES ☐ NO ☒	YES ☐ NO ☒
[redacted]	Weber	Robert		Sgt	YES ☐ NO ☒	YES ☐ NO ☒

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Burgin	Terry	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Wegener	Kent	

Watch Commander's Signature: [signature] Emp #: [redacted]

Copy Provided to Employee by: ____________ Emp #: ____________

Supervisor Completing Form: Carlos E. Flores (Print) Emp #: [redacted]

Unit Commanders Signature: ____________ Emp #: ____________ Date Signed: ____________

PSTD Use Only
FO#

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 408-13725-0371-145

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S1	E#1	RS PH	AB BR	KN HD
E#1	S1	PH	FR AB	FA KN
E#2	S1	PH TR	FR AB	FA KN

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 408-13725-0371-145

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Galvez	Gonzalo	

Sex: [X] Male [ ] Female | Race: Hispanic | Unit of Assignment: Lennox Station | Work Assignment (Unit #, Module, etc.): 31D

Shift: [ ] EM [ ] Day [X] PM | [X] Regular Shift [ ] OT Shift [ ] Off Duty | Age: [redacted] | Height: 600 | Weight: 185

Medical Exam/Treatment [X] | If Admitted, Name of Hospital: | Coroner Case # | Directed Force [ ] Significant Force [X]

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex: [redacted] Male [redacted] Female | Race: Hispanic | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: [redacted] EM [redacted] Day [redacted] PM | [redacted] Regular Shift [redacted] OT Shift [redacted] Off Duty | Age: [redacted] | Height: [redacted] | Weight: [redacted]

Medical Exam/Treatment [X] | If Admitted, Name of Hospital: | Coroner Case# | Directed Force [ ] Significant Force [X]

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex: [X] Male [ ] Female | Race: White | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: [ ] EM [ ] Day [redacted] PM | [redacted] Regular Shift [ ] OT Shift [ ] Off Duty | Age: [redacted] | Height: 601 | Weight: 210

Medical Exam/Treatment [ ] | If Admitted, Name of Hospital: | Coroner Case# | Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex: [ ] Male [ ] Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: [ ] EM [ ] Day [ ] PM | [ ] Regular Shift [ ] OT Shift [ ] Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment [ ] | If Admitted, Name of Hospital: | Coroner Case# | Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex: [ ] Male [ ] Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: [ ] EM [ ] Day [ ] PM | [ ] Regular Shift [ ] OT Shift [ ] Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment [ ] | If Admitted, Name of Hospital: | Coroner Case# | Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex: [ ] Male [ ] Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: [ ] EM [ ] Day [ ] PM | [ ] Regular Shift [ ] OT Shift [ ] Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment [ ] | If Admitted, Name of Hospital: | Coroner Case# | Directed Force [ ] Significant Force [ ]

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 408-13725-0371-145

Suspect Information

S1

Last Name: Washington		First Name: Quentin			Middle Name:		
AKA Last Name:		First Name:			Middle Name:		
Sex: ☒ Male ☐ Female	Race: Black	Street Address: [redacted]		City: [redacted]	State & Zip Code: [redacted]		
Work Phone:	Home Phone: [redacted]	Age: 37	Height: 507	D.O.B. 07-17-71	Weight: 175	Armed? ☐	
Booking #: 1747808	Primary Charge: 245(c)PC		Secondary Charge: 69PC		Criminal History [redacted]		
Hospital Admission? ☐	Rec'd Treatment At: Centinella Hospital		Coroner Case#:		Mental History ☐		
Under Influence: ☐ YES ☒ NO Substance:			Photos of Suspect's Injuries ☒ YES ☐ NO				

Suspect Interview

Date: 12-30-08	Time: 1700	Audiotape: ☒ Videotape: ☒

Suspect Information

S_

Last Name:		First Name:			Middle Name:		
AKA Last Name:		First Name:			Middle Name:		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:		
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐	
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐		
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐		
Under Influence: ☐ YES ☐ NO Substance:			Photos of Suspect's Injuries ☐ YES ☐ NO				

Suspect Interview

Date:	Time:	Audiotape: ☐ Videotape: ☐

Suspect Information

S_

Last Name:		First Name:			Middle Name:		
AKA Last Name:		First Name:			Middle Name:		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:		
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐	
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐		
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐		
Under Influence: ☐ YES ☐ NO Substance:			Photos of Suspect's Injuries ☐ YES ☐ NO				

Suspect Interview

Date:	Time:	Audiotape: ☐ Videotape: ☐

See Other Side

Supervisor's Report on Use of Force

URN: 408-13725-0371-145

Non-Employee Witnesses (Continuation)

Last Name [redacted]		First Name [redacted]		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SIGNIFICANT FORCE INCIDENT EVALUATION

UNIT: Lennox Station
DATE: December 30, 2008
TIME: 1417 hours
LOCATION: [redacted] W. 102nd Street, Los Angeles
URN#: 408-13725-0371-145
IAB#: FO2234953

NATURE OF INCIDENT:

On Tuesday, December 30, 2008, at approximately 1417 hours, Deputy Gonzalo Galvez and Deputy [redacted] were working unit 31D, out of the Lennox Station. They were in a marked patrol vehicle, traveling eastbound on 102nd Street, Los Angeles.

The deputies stopped and detained three males regarding an narcotics investigation. They instructed the three males to sit in the back seat of the patrol vehicle, while the deputies conducted their investigation. The deputy's vehicle was stopped on 102nd Street, facing east, close to the south curb. However, due to several vehicles parked on the south curb, the deputies were unable to park their vehicle next to the curb.

> **IAB Note:** The three males were identified as [redacted] MB/24, [redacted] MB/20, and [redacted] MB/22.

Deputy Galvez, believing the males had tossed narcotics, began searching the area east of where their patrol vehicle had stopped. Deputy [redacted] sat in the passenger side of the patrol vehicle, and began checking the males for warrants, via the Mobile Digital Terminal (MDT).

As the deputies conducted their investigation, a grey Honda Civic approached the deputy's vehicle from behind, and stopped. The driver, and sole occupant of the vehicle, Suspect Washington, exited his vehicle and approached the patrol vehicle's driver's side. Suspect Washington placed his upper body inside the vehicle, but was quickly confronted by Deputy [redacted] who asked him what he was doing.

Suspect Washington quickly exited the patrol vehicle, and closed the driver's side door. He then walked back to his vehicle and got into the driver's seat.

Deputy [redacted] exited the patrol car and approached Suspect Washington's vehicle, on the passenger side. Deputy Galvez, having seen Suspect Washington enter the patrol car, approached Suspect Washington's vehicle on the driver's side. Deputy Galvez contacted Suspect Washington and questioned him as to why he had entered their patrol vehicle. Deputy Galvez also asked Suspect Washington for his driver's license. Suspect Washington became belligerent and uncooperative, and would not provide his driver's license.

Deputy Galvez asked Suspect Washington to exit his vehicle, but Suspect Washington would not comply. Deputy Galvez ordered Suspect Washington to exit his vehicle several times. Suspect Washington eventually stepped out of the vehicle, and was told by Deputy Galvez to turn away from him. Deputy Galvez took hold of Suspect Washington's left wrist, and again instructed him to face away from him.

Suspect Washington would not comply with Deputy Galvez' order, and instead punched Deputy Galvez in the face, with his right fist. Deputy Galvez pushed the suspect against the vehicle's doorframe, in an attempt to control him and halt his assault. Suspect Washington began punching Deputy Galvez in the upper torso with both fists. Suspect Washington also took hold of Deputy Galvez shirt, ripping the shirt and removing the badge. Suspect Washington then pushed Deputy Galvez back and raised his fists in the air, in an apparent attempt to continue fighting Deputy Galvez.

Deputy Galvez punched the suspect several times in the face, and began ordering the suspect to stop fighting. Suspect Washington would not comply and instead charged Deputy Galvez. Deputy Galvez again punched the suspect several times in the face, but the suspect continued advancing. Deputy [redacted] also struck the suspect in the abdomen with her fists and knees, but her force had no affect. Deputy [redacted] broadcasted on her portable radio that they were involved in a fight and needed assistance.

> **IAB Note:** Recording of Deputy [redacted] radio broadcast is included in this report. See Exhibit J.

Deputy Galvez struck Suspect Washington several more times in the face, utilizing his elbows. The elbow strikes caused Suspect Washington to temporarily halt his assault, and the deputies were able to take the suspect down to the ground. The suspect and the deputies landed on the driveway of [redacted] 102nd Street.

While on the ground, Suspect Washington continued to struggle and swing his fists in the deputies direction. Suspect Washington also attempted to get back up on his feet, utilizing his body weight, Deputy Galvez held the suspect down and prevented him

from getting up. While struggling with the suspect, Deputy Galvez saw and heard several people approaching them from Normandie Avenue. Deputy Galvez could hear several individuals shouting profanities at them, and angrily telling them to leave the suspect alone.

Deputy Galvez told Deputy [redacted] to run back to their patrol vehicle and retrieve the Taser, and she did so. Upon her return, Deputy Galvez instructed her to deploy the Taser in order to halt Suspect Washington's assaultive behavior. Deputy [redacted] placed the Taser on Suspect Washington's lower back and "contact tased" him. The Taser had very little affect, as Suspect Washington continued to fight. Deputy [redacted] activated the taser approximately four times, as Suspect Washington continued to struggle.

Deputy Galvez and [redacted] were able to secure the suspect's hands and forced them behind his back. The deputies were then joined by Deputy [redacted], who had responded to the location. Deputy [redacted] assisted the deputies in handcuffing Suspect Washington. Once handcuffed, Suspect Washington began kicking his feet out. Deputy [redacted] fearing possible additional injury to Suspect Washington, and deputy personnel, placed a hobble restraint around the suspect's legs. Once handcuffed and hobbled, Suspect Washington ceased his assaultive and resistive behavior.

IAB Note: Refer to Exhibits A and B, for a copy of Deputy Galvez' Incident Report and Deputy [redacted] and [redacted] Supplemental Reports; documenting their actions, observations and use of force. File # 408-13725-0371-145.

Deputies summoned paramedics, and Suspect Washington was treated for his injuries. He was subsequently transported to Centinela Hospital where it was determined he had sustained a fractured right orbital. Deputy Galvez and [redacted] were transported to Little Company of Mary Hospital where they were treated for their injuries.

Internal Affairs Bureau Lieutenant Don Slawson was notified, and Sergeants Carlos Flores and David Gealta responded to Lennox Station to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

INVOLVED PERSONNEL:

GALVEZ, Gonzalo - Deputy Sheriff, Employee #[redacted] MH/[redacted] 600/185
Lennox Station
Patrol, Field Operations Region II

Date of Employment: 09-23-1999

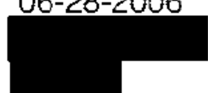
Date Assigned to Unit: 04-09-2006
Prior Founded Force Incidents: [redacted]

[redacted]- Deputy Sheriff, Employee #[redacted] [redacted] [redacted]
[redacted]
Patrol, Field Operations Region II



Date of Employment: [redacted]
Date Assigned to Unit: [redacted]
Prior Founded Force Incidents: [redacted]

[redacted]- Deputy Sheriff, Employee #[redacted] MW/[redacted] 601/210
Lennox Station
Patrol, Field Operations Region II



Date of Employment: 06-28-2006
Date Assigned to Unit: [redacted]
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT (S):

Washington, Quentin Devon

Sex:	Male
Race:	Black
Date of Birth:	July 17, 1971
Booking #	11747808
Charge:	245 (C) PC and 69 PC
Injury:	Fracture to Right Orbital. Numerous Abrasions.

The Consolidated Criminal History System reveals Suspect Washington has been [redacted]. Suspect Washington has [redacted]. The "Cal-Gangs" data system identifies Suspect Washington as a member of the "112th Hoover Crips Gang.

IAB Note: A copy of Suspect Washington's criminal history is included in this report. See Exhibit C.

INVOLVED DEPUTY WITNESSES:

None

NON-DEPARTMENT WITNESSES:

1. [redacted] MH/54 D.O.B. [redacted]

2. [redacted] MB/22 D.O.B. [redacted]

3. [redacted] MB/20 D.O.B. [redacted]

4. [redacted] MB/24 D.O.B. [redacted]

INVOLVED EMPLOYEE STATEMENTS:

Deputy Gonzalo Galvez was interviewed on January 22, 2009 at 1005 hours, by Internal Affairs Bureau Sergeants Carlos Flores and Diana Gealta. The interview was conducted at the Internal Affairs Bureau. Deputy Galvez was represented by Attorney Derald Brenneman. The interview was recorded for review.

Deputy Galvez' statement and description of the incident, during his interview, was essentially the same he provided on his incident report. After his description of the incident, he answered questions relative to tactics and training.

Deputy Galvez said he and his partner, Deputy [redacted], were traveling east on 102nd Street in their marked patrol vehicle. He said they stopped and detained three males, and initiated a narcotics investigation. Deputy Galvez said the three males were cooperative, and they were detained in the back seat of their patrol vehicle. He said he began searching the area approximately twenty feet east of where their vehicle was parked, as Deputy [redacted] remained inside the patrol car.

Deputy Galvez said he saw a male, later identified as Suspect Washington, partially enter their patrol vehicle on the driver's side. He said the suspect then quickly exited the vehicle, and closed the driver's door. He said he then saw Deputy [redacted] exit the passenger side, as Suspect Washington walked back to his vehicle, which was parked behind the patrol vehicle.

Deputy Galvez said he and Deputy [redacted] carry tactical equipment in the front seat area of their patrol vehicle. He said he was concerned Suspect Washington had taken something from inside the vehicle, and he (Deputy Galvez) decided to contact him. Deputy Galvez said he approached the driver's side of Suspect Washington's vehicle, and Deputy [redacted] approached the passenger side.

Deputy Galvez said he asked the suspect for his driver's license, but the suspect refused to give it to him. He said he then asked the suspect to exit his vehicle, but the suspect would not comply. Deputy Galvez said although the suspect was not complying, he did not feel that calling for additional deputies was necessary at that time. Deputy Galvez said after several orders, the suspect finally complied and exited his car.

Deputy Galvez said he took hold of the suspect's left wrist, in order to safely turn him around and conduct a pat down search. He said he also told the suspect to face away from him. Deputy Galvez said the suspect refused to turn away, and instead punched him with his right fist. He said he pushed the suspect back and attempted to control him by pinning him against his car. Deputy Galvez said the suspect broke free and began punching him on his upper torso with both fists.

Deputy Galvez said the suspect put his head down and charged at him, swinging his fists. He said he began punching the suspect, striking him in the face several times. He said Deputy [redacted] called for help on the radio, and came to his aid. He said he was aware of her presence, but was not sure what type of force she was utilizing.

Deputy Galvez said they eventually ended up in the driveway of [redacted] 102nd Street, where the fight continued. He said he and Deputy [redacted] ordered the suspect several times to stop fighting, but the suspect refused to halt his assault. Deputy Galvez said he and Deputy [redacted] were able to take Suspect Washington down to the ground, and they landed on top of him. He said Suspect Washington was able to turn his body and continued swinging his fists.

Deputy Galvez said while fighting with the suspect, he noticed several people approaching them, shouting profanities. Deputy Galvez said he became concerned that the crowd would become involved in the situation, and attack him and Deputy [redacted]. He said he directed Deputy [redacted] to retrieve the Taser from their vehicle, and to use it on Suspect Washington. Deputy Galvez said he was extremely tired, and was worried that he would have to escalate the use of force.

Deputy Galvez said he heard when the Taser was activated, but he did not see how Deputy [redacted] used it. He said he believes she utilized the "contact" method, and believes she placed it on the suspect's back. Deputy Galvez said Deputy [redacted] activated the Taser several times, because the suspect continued to fight. He said the suspect finally placed his hands behind his back, but he continued to resist the deputy's efforts to handcuff him.

Deputy Galvez said he and Deputy [redacted] were assisted by Deputy [redacted], and they were able to handcuff the suspect. He said the suspect then began kicking his legs, at which point Deputy [redacted] placed a hobble restraint around the suspect's legs. Deputy Galvez said nobody else used force during this incident. He said the suspect

was not struck after he was handcuffed and hobbled.

Deputy Galvez said when the assisting deputies began to arrive, the crowds began to disperse. He said he was later advised Suspect Washington sustained a broken orbital, but he does not know how or when that occurred. Deputy Galvez acknowledged that the force he utilized (punches and elbows to face) could have caused the fracture to the suspect's orbital.

Deputy Galvez said the incident took approximately five minutes. He said he never had time to retrieve and utilize his Oleoresin Capsicum Spray. Deputy Galvez said based on the suspect's actions, they had no choice but to use the described force, in order to control and stop the suspect's assault.

Deputy Galvez said he sustained several scrapes and cuts to both his knuckles, and both knees. He also sustained a cut to the inside of his lip. He said he was treated for his injuries at Little Company of Mary Hospital.

Refer to Deputy Galvez' interview transcript for further details.

IAB Note: Refer to Exhibit A, for a copy of Deputy Galvez' Incident Report, documenting his actions, observations and use of force. File # 408-13725-0371-145. During his interview, Deputy Galvez was shown a video still, which depicts the suspect's and the deputy's vehicle. Deputy Galvez verified the photograph depicts the position of the vehicles, when the incident occurred. See Exhibit F.

Deputy [redacted] was interviewed on January 22, 2009 at 1040 hours, by Internal Affairs Bureau Sergeants Carlos Flores and Diana Gealta. The interview was conducted at the Internal Affairs Bureau. Deputy [redacted] was represented by Attorney Derald Brenneman. The interview was recorded for review.

Deputy [redacted] statement and description of the incident, during her interview, was essentially the same she provided on her supplemental report. After her description of the incident, she answered questions relative to tactics and training.

Deputy [redacted] said she and Deputy Galvez were in their patrol vehicle traveling east on 102nd Street. She said they detained three males regarding a narcotics investigation. She said the males were cooperative, and they detained them in the back seat of their patrol car.

Deputy [redacted] said she remained inside the vehicle, sitting in the front passenger seat. She said she began conducting queries on the Mobile Digital Terminal (MDT). She said Deputy Galvez was searching the area approximately twenty feat south east of

where they had stopped their patrol vehicle.

Deputy [redacted] said she saw the suspect partially enter their patrol vehicle on the driver's side. She said she asked the suspect "what are you doing?" and the suspect quickly exited and closed the door. Deputy [redacted] said she exited her vehicle and saw the suspect enter his vehicle, which was parked behind theirs. She said she approached the suspect's vehicle on the passenger side, as Deputy Galvez approached on the driver's side.

Deputy [redacted] said Deputy Galvez asked the suspect for his drivers license, and to exit the vehicle. She said the suspect was uncooperative and would not comply with Deputy Galvez' orders. Deputy [redacted] said after several requests by Deputy Galvez, Suspect Washington exited his vehicle. She said Deputy Galvez told the suspect to face away from him, but the suspect refused and directly faced Deputy Galvez.

Deputy [redacted] said she began walking towards Deputy Galvez, and she saw Suspect Washington swing his fist at Deputy Galvez. She said she immediately initiated emergent radio traffic, requesting assistance because they were involved in a fight. She said she then tried to restrain the suspect's right arm, as he was still swinging his fists at Deputy Galvez.

Deputy [redacted] said she ordered the suspect to stop fighting, but the suspect would not comply. She said she punched the suspect's abdomen several times, but the suspect continued his attack on Deputy Galvez. She said she also struck the suspect's abdomen with her knee, but her force had very little effect.

Deputy [redacted] said she and Deputy Galvez were eventually able to take the suspect down to the ground. She said they all landed on the driveway of [redacted] 102nd Street. However, the suspect continued to swing his fists, fighting with Deputy Galvez. Deputy [redacted] said Deputy Galvez told her to retrieve the Taser from their patrol vehicle, and she complied. She said when she returned with the Taser, she saw the suspect was still fighting with Deputy Galvez.

Deputy [redacted] said she placed the Taser on Suspect Washington's back and "contact tased" him for one five second cycle. She said the suspect continued to fight despite having been tased. Deputy [redacted] said she cycled the Taser approximately four times, because the suspect would not comply with their orders to stop. Deputy [redacted] said after the fourth cycle of the Taser, Suspect Washington placed his hands behind his back. She said she and Deputy Galvez grabbed the suspect's hands and attempted to handcuff him. However, the suspect continued to resist their efforts, and would not allow them to handcuff him.

Deputy [redacted] said Deputy [redacted] arrived and assisted them in handcuffing the suspect. She said the suspect was subsequently "hobbled" due to kicking his legs.

She said she did not see when the Hobble Restraint was placed on the suspect's legs, nor does she know who applied the Hobble.

Deputy [redacted] said during their initial contact with Suspect Washington, she did not feel the need to call for backup until he became assaultive. She said during the incident, a large crowd began to gather, and she feared some in the crowd would get involved. She said the crowd was extremely hostile and began shouting profanities at them.

Deputy [redacted] said she did not carry the Taser on her person on the day of the incident. She said the assigned Taser did not have a holster, so they placed it in the glove box. She said she did not utilize her Oleoresin Capsicum Spray because she did not want to contaminate her partner. Deputy [redacted] said she does not know how the suspect sustained a broken orbital. However, she did see Deputy Galvez punch the suspect in the face during the altercation.

Deputy [redacted] said she sustained several lacerations to her hands. She said she was transported and treated at Little Company of Mary Hospital.

Refer to Deputy [redacted] interview transcript for further details.

IAB Note: Refer to Exhibit B, for a copy of Deputy [redacted] Supplemental Report, documenting her actions, observations and use of force. File # 408-13725-0371-145. During her interview, Deputy [redacted] was shown a video still, which depicts the suspect's and the deputy's vehicle. Deputy [redacted] verified the photograph depicts the position of the vehicles when the incident occurred. See Exhibit F.

Deputy [redacted] was interviewed on January 14, 2009 at 1200 hours, by Internal Affairs Bureau Sergeants Carlos Flores and Diana Gealta. The interview was conducted at the Internal Affairs Bureau. Deputy [redacted] was represented by Attorney Derald Brenneman. The interview was recorded for review.

Deputy [redacted] statement and description of the incident, during his interview, was essentially the same he provided on his Supplemental Report.

Deputy [redacted] said he was working Unit 31A with his [redacted] Deputy Julio Saldana #[redacted] They responded to the location after they heard on the radio that deputies were involved in a fight there. Upon their arrival he exited his vehicle, and he saw Deputy Galvez, Deputy [redacted] and the suspect on the ground, in the driveway of the residence ([redacted] 102nd Street). Deputy [redacted] said he saw the two deputies attempting to handcuff the suspect.

Deputy [redacted] said he immediately ran over to assist the deputies. He said his partner, Deputy Saldana, and other assisting deputies began controlling the crowds that were gathering and walking towards the involved deputies. Deputy [redacted] said when he approached the deputies and the suspect, he saw the suspect struggling and resisting their efforts to handcuff him. He said the suspect was lying face down and the deputies were on top of him, trying to control his hands.

Deputy [redacted] said the suspect was shouting and telling the deputies that he had not done anything wrong. Deputy [redacted] said he assisted in handcuffing the suspect. He said shortly after handcuffing he suspect, the suspect began kicking his feet out. Deputy [redacted] said he feared that he or other personnel would be kicked and injured, and he decided to place the hobble restraint around the suspect's legs. He said the suspect became cooperative after he was hobbled.

Deputy [redacted] said he did not witness Deputy Galvez or [redacted] use any other force besides the handcuffing. He said he saw that the Taser was in one of the deputy's hands, but he was not sure who was holding on to it. He said he did not see when the Taser was used. Deputy [redacted] said he did not see anybody strike or tase the suspect after he was handcuffed and hobbled. He said he saw the suspect bleeding from a wound on his head, but was unsure how he had sustained the injury. Deputy [redacted] said he did not sustain any injury during the incident.

Deputy [redacted] said he did notice a crowd gather in the area, and could hear some people shouting. However, he did not feel the situation was out of control, nor did he feel additional deputies were necessary.

Refer to Deputy [redacted] interview transcript for further details.

IAB Note: Refer to Exhibit B, for a copy of Deputy [redacted] Supplemental Report, documenting his actions, observations and use of force. File # 408-13725-0371-145. During his interview, Deputy [redacted] was shown a video still which depicts the suspect's and the deputy's vehicle. Deputy [redacted] verified the photograph depicts the position of the vehicles when the incident occurred. See Exhibit F.

SUSPECT'S STATEMENTS:

Suspect Washington was interviewed on December 30, 2008, at 1818 hours, by Lennox Station Sergeant John Meehan #[redacted] The interview was conducted at the Centinela Hospital, located at 555 E. Hardy Street, Inglewood. The interview was audio recorded, and a subsequent interview was video recorded.

Suspect Washington said he was driving on Normandie Avenue, and made a turn onto

eastbound 102nd Street. He said he saw the deputy's vehicle parked on the street, and it appeared that several males were being held in the back seat. He said the deputy's vehicle's driver's side door was open, which made it difficult to drive past the deputy's vehicle. Suspect Washington said he saw a female deputy [redacted] sitting in the front passenger seat and a male deputy (Galvez) was "down the street."

Suspect Washington said he exited his vehicle and approached the deputy's vehicle on the driver's side. He said he asked the female deputy if he could close the door, but she did not answer him. Suspect Washington said he then closed the deputy's door and walked back to his vehicle. He said the female deputy approached the passenger side of his vehicle, and he rolled down the passenger window.

Suspect Washington said the female deputy asked him "what gives you the right to think you can just touch my door?" He said he told the deputy he had asked her, and he didn't think "it was a big deal." Suspect Washington said the male deputy approached the driver's side of his vehicle, and opened the door. He said the deputy told him to exit the vehicle. Suspect Washington said he asked the deputy "what was going on," and the deputy told him he would let him know after he exited the car.

Suspect Washington said he began to exit the vehicle, and the male deputy grabbed his left arm and pushed him against the doorway. He said the deputy told him to turn around, but at the same time pushed him against the doorway, thus he could not turn around.

Suspect Washington said the deputy was pulling his arm back, and was "almost about to break it." He said he pulled his elbow up in order to "take the pressure off." Suspect Washington said the deputy began punching him in the face and telling him to lay down on the ground. He said the deputy then grabbed him by the neck and began choking him. He said he pushed the deputy back in order to get his (deputy's) hand away from his neck.

Suspect Washington said the deputy again grabbed his neck, and continued punching him. He said the deputy took him down to the ground and continued punching him in the face. Suspect Washington said he heard the deputy tell his partner to "get the taser." He said the deputies tased him as they handcuffed his hands. He said the deputies again tased him, and punched him, after the handcuffs were already on. He said when the other deputies arrived, the male deputy just held his (Suspect Washington) head down on the ground.

IAB Note: Copies of Suspect Washington's medical treatment record. See Exhibit D. Photographs of Suspect Washington's injuries are also included, see Exhibits E and H.

On December 30, 2008, at approximately 1922 hours, Suspect Washington was once

again interviewed by Lennox Station Sergeant John Meehan. The interview was video recorded. Suspect Washington's video statement and description of the incident was essentially the same he provided during his first interview. Sergeant Meehan also video recorded Suspect Washington's injuries.

IAB Note: Copy of video recorded interview is included in this report. See Exhibit I. Detective Rick Osburn #[redacted] attempted to obtain a statement from Suspect Washington, as part of the criminal investigation. Suspect Washington invoked his right to remain silent. He also stated he would not speak with Internal Affairs Sergeants Flores and Gealta.

Refer to Suspect Washington's interview transcript for further details.

NON-DEPARTMENT WITNESS STATEMENTS:

Lennox Station Sergeants John Meehan #[redacted] and Robert Weber #[redacted] canvassed the area (1300 block of 102nd Street) for possible witnesses. Though a large crowd gathered during the incident, only one witness was found. A large number of people in the crowd were verbally hostile towards deputy personnel. The three detainees were also interviewed.

[redacted]

Witness [redacted] is a fifty four year old male. He resides in the city of [redacted] Witness [redacted] was interviewed by Lennox Station Sergeant Robert Weber on December 30, 2008, at 1444 hours. The interview was video recorded.

Witness [redacted] is a construction worker. He said he was measuring the curb on 102nd Street and Normandie Avenue, because they were going to lay cement the next day. He said he saw a male deputy and female deputy approach the suspect's vehicle, on the driver's side. He said the deputies asked the suspect get out of the car. He said the deputies asked the suspect to exit the vehicle approximately twenty times, but the suspect refused.

Witness [redacted] said he saw the deputies pull the suspect out of the car. He said the suspect began "wrestling" with the deputies, and resisted their efforts to put his hands behind his back. Witness [redacted] said they all fell to the ground, and the deputies attempted to put his hands behind his back. He said the suspect continued to resist their efforts. He said it appeared to him that the suspect was trying to get away from the deputies. Witness [redacted] said he could not see if the suspect was trying to hit the deputies

Witness [redacted] said he could hear the deputies shouting orders to the suspect to

put his hands behind his back, but the suspect would not comply. He said he saw the female deputy run to her vehicle and retrieve something, but he was not sure what she retrieved. He said the female deputy returned, and the suspect was finally handcuffed.

IAB Note: Video recording of Witness [redacted] interview is included in this report. See Exhibit I.

[redacted]

Witness [redacted] is a twenty two year old black male. He resides at [redacted] He was interviewed by Lennox Station Sergeant Robert Weber on December 30, 2008, at 1456 hours. The interview was video recorded.

Witness [redacted] stated he was walking around in the area and was detained by the deputies. He said he did not see what occurred between the deputies and Suspect Washington. Witness [redacted] said he does not know Suspect Washington.

IAB Note: Witness [redacted] was one of three individuals detained by Deputy Galvez and Deputy [redacted] He was sitting in the rear seat of the patrol vehicle when the incident with Suspect Washington occurred. During his interview Witness [redacted] was elusive and appeared irritated. He expressed his displeasure of being video recorded. Witness [redacted] is a member of the "Ten Deuce Budlong Crips" Gang. Recording of interview is included in this report, see Exhibit I.

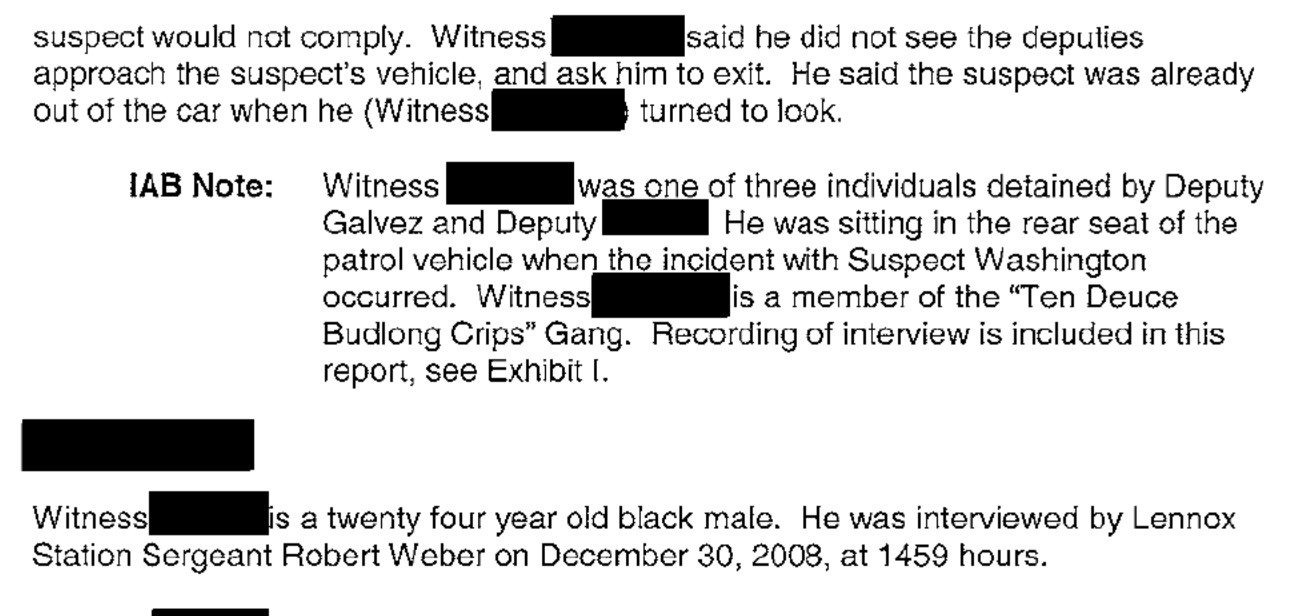
[redacted]

Witness [redacted] is a twenty year old black male. He resides at [redacted]. He was interviewed by Lennox Station Sergeant Robert Weber on December 30, 2008, at 1457 hours.

Witness [redacted] said he and his friends were on their way to the store when they were pulled over by the deputies. He said they were placed in the rear seat of the deputy's vehicle, and the deputies began "checking their names."

Witness [redacted] said he saw Suspect Washington close the deputy's car door, because it appeared he wanted to drive past the deputy's vehicle. He said the deputies approached Suspect Washington and a struggle ensued. Witness [redacted] said Suspect Washington was resisting the deputy's efforts to take him into custody.

Witness [redacted] said he did not see Suspect Washington fighting with the deputies, but he was resisting the deputy's efforts to take him down to the ground. He said he heard the deputies tell Suspect Washington to get down on the ground, but the



suspect would not comply. Witness [redacted] said he did not see the deputies approach the suspect's vehicle, and ask him to exit. He said the suspect was already out of the car when he (Witness [redacted] turned to look.

IAB Note: Witness [redacted] was one of three individuals detained by Deputy Galvez and Deputy [redacted] He was sitting in the rear seat of the patrol vehicle when the incident with Suspect Washington occurred. Witness [redacted] is a member of the "Ten Deuce Budlong Crips" Gang. Recording of interview is included in this report, see Exhibit I.

[redacted]

Witness [redacted] is a twenty four year old black male. He was interviewed by Lennox Station Sergeant Robert Weber on December 30, 2008, at 1459 hours.

Witness [redacted] said he saw the suspect approach the deputy's vehicle and close the door. He said the deputies then approached the suspect and asked him to put his hands behind his back. Witness [redacted] said the suspect would not comply with the deputy's orders. He said the suspect and the deputies started "tussling." Witness [redacted] later said he was not sure if Suspect Washington was complying with the deputy's orders.

IAB Note: Witness [redacted] was one of three individuals detained by Deputy Galvez and Deputy [redacted] He was sitting in the rear seat of the patrol vehicle when the incident with Suspect Washington occurred. During his interview Witness [redacted] was elusive and appeared irritated. He expressed his displeasure of being video recorded. He refused to give his home address and phone number. Witness [redacted] is a member of the "Ten Deuce Budlong Crips." Recording of interview is included in this report, see Exhibit I.

SUSPECT'S INJURIES:

Suspect Washington was transported to Centinela Hospital, located at 555 E. Hardy Street, Inglewood. He was treated by Physician's Assistant David Kim.

Suspect Washington's injuries were examined, and it was determined that he sustained a fracture to his right orbital. Suspect Washington also sustained numerous scratches and abrasions to his face, hands, and back. He additionally had bruising and swelling to his face. He complained of pain to his ribs and back. P.A. Kim advised Sergeant Meehan that the suspect's injuries were consistent with the force the deputies reported using.

Suspect Washington was treated for his injuries and given the "Okay to Book." He was subsequently transported to Lennox Station where He was booked and temporarily housed.

IAB Note: Copies of Suspect Washington's medical treatment records are included in this report, see Exhibit D. Photographs of Suspect Washington's injuries are also included, see Exhibits E and H.

INJURIES TO DEPUTY PERSONNEL:

Deputy Galvez sustained several lacerations to his hands. He also sustained scrapes and contusions to his knees, and swelling to his lips. Deputy [redacted] sustained lacerations to both hands and a contusion to a knuckle on her left hand. Both deputies were transported and treated at Little Company of Mary Hospital.

IAB Note: Photographs of the deputy's injuries are included in this report. See Exhibits E and H.

PHYSICAL EVIDENCE:

No physical evidence was collected at the scene.

INVESTIGATORS OBSERVATIONS:

Internal Affairs Bureau Sergeants Flores and Gealta responded to the scene several hours after the incident. The scene is a residential neighborhood. Digital photographs of the scene were taken on December 30, 2008. A video recording of the scene was also taken. The neighborhood was canvassed for witnesses by Lennox Station Sergeants John Meehan #[redacted] and Robert Weber #[redacted]

IAB Note: Photographs of scene were taken and are included in this report. See Exhibits F and H. Video recording is also included, see Exhibit I.

REVIEW OF RADIO TRANSMISSIONS

The Internal Affairs Investigator reviewed the radio broadcast, during the incident. On the recording, Deputy [redacted] can be heard requesting emergency clearance; "10-33 give me the patch." She is then heard identifying herself, and advising that they are involved in a fight. Deputy [redacted] also gives her location.

Several deputies advise they are responding to the location, "Code 3." Deputies from Aero Bureau also advise they are responding. Approximately two minutes and forty seconds after her initial broadcast, Deputy [redacted] advises units are needed for "crowd

control." Approximately five minutes after her initial broadcast, Deputy [redacted] is heard requesting paramedics (902R), "for the suspect."

IAB Note: Recording of Deputy [redacted] radio broadcast is included in this report. See Exhibit J.

WEAPONS USED BY DEPUTY PERSONNEL:

Personal Weapons (Hands, Elbows, Knees), Taser, Hobble Restraint, Control Holds.

WEAPONS USED BY SUSPECTS:

Personal weapons, hands.

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Detective Rick Osburn #[redacted] Detective Bureau, Lennox Station
Court: Inglewood Court
Charges Filed: 243 (c) (2) P.C. Court Case #YA073909

WEATHER CONDITIONS AND LIGHTING CONDITIONS:

The incident occurred on a clear afternoon at 1417 hours.